

REMARKS

Claims 1-8 are pending in this application. All of the claims were rejected. None of the claims is currently amended. Reconsideration is respectfully requested.

The Office cites Strawczynski for teaching the limitation recited in claim 1 of “logic operable to independently select a wireless transmission power based at least in-part on received protocol messages.” In particular, the Office states that Strawczynski teaches that “the traffic channel determined to contain the least power level of those scanned is selected by the subscriber terminal, thereby reading on the claimed ‘logic operable to independently select a wireless transmission power based at least in-part on received protocol message.’” The Office has apparently mistaken the claimed selection of transmission power for selection of a channel. In other words, the claimed limitation is not channel selection but rather **transmission power selection**. Claims 2-8 are dependent claims which further distinguish the invention, and which are allowable for the same reason as claim 1. Withdrawal of the rejection of claims 1-8 is therefore requested.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited. Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date

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